

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	MATTHEW F. KENNELLY	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 2917	DATE	May 29, 2008
CASE TITLE	U.S. ex rel. Clarence Charles Trotter (#A-63323) vs. Terry L. McCann, et al.		

## DOCKET ENTRY TEXT:

Petitioner is granted thirty days in which to: (1) either pay the \$5.00 statutory filing fee or submit an application for leave to proceed *in forma pauperis*; and (2) submit a judge's copy and service copy of his habeas petition. The Clerk is directed to mail Petitioner an i.f.p. application. Failure of Petitioner to comply with this order within thirty days will result in summary dismissal of this case pursuant to Rule 4 of the Rules Governing Section 2254 Cases.

■ [For further details see text below.]

Docketing to mail notices.

## STATEMENT

Clarence Charles Trotter, a state prisoner, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges his convictions for murder, aggravated kidnaping, and residential burglary on the grounds that: (1) his counsel was ineffective; (2) his conviction "results from a void judgment;" (3) the criminal prosecution violated the Speedy Trial Act; (4) the post-conviction proceedings denied him due process; and (5) the evidence failed to establish his guilt beyond a reasonable doubt.

Although the clerk has accepted the *pro se* petition for docketing pursuant to Rule 5(e) of the Federal Rules of Civil Procedure, Petitioner has neither paid the \$5.00 filing fee nor filed a petition for leave to proceed *in forma pauperis*. If Petitioner wishes to proceed with this action, he must either pay the \$5.00 filing fee or, in the alternative, file an *in forma pauperis* application complete with a certificate from a prison official stating the amount on deposit in the prisoner's trust account. The clerk will provide Petitioner with an *in forma pauperis* application. If Petitioner fails to pay the filing fee or file a fully completed *in forma pauperis* application within thirty days, the Court will dismiss this action.

In addition, Petitioner has failed to provide judge's and service copies of his habeas petition. The Court has neither the funding nor the staff to make copies of the 115-page petition. Petitioner must provide two more complete copies of his habeas petition.

**(CONTINUED)**

mjm

**STATEMENT (continued)**

For the foregoing reasons, Petitioner is granted thirty days in which to: (1) either pay the \$5.00 statutory filing fee or submit an application for leave to proceed in forma pauperis; and (2) submit a judge's copy and service copy of his habeas petition. Failure of Petitioner to comply with this order within thirty days will result in summary dismissal of this case pursuant to Rule 4 of the Rules Governing Section 2254 Cases.